



State of
Wyoming

*Educational
Surrogate
Parent
Manual*

Wyoming Department
of Education
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Riverton, Wyoming 82501





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PREFACE

Children with disabilities enter school with unique educational needs. Federal and State laws provide special assurances that guarantee these unique needs are met and an appropriate education is provided. Among these assurances are rights making it possible for parents to act as advocates for their children and to work as partners with the school in developing an educational program designed to meet the special needs of their child.

Many students in the State of Wyoming do not have the support of their families. There are students whose parents are unknown or unavailable, or students who are wards of the State. Under these circumstances, the State protects the rights of a student with disabilities by appointing an educational surrogate parent to act in place of the natural parents or guardian. **The individual serving as the educational surrogate parent has the same rights as a parent in the special education decision-making process.** The school district has 30 days to appoint a surrogate parent once it is known a surrogate is needed. The educational surrogate parent is responsible for representing the student's best interests in all educational matters, including: referral for consideration of special education, evaluation, program development, placement, and review.

The educational surrogate parent can and will make a positive difference for students in the State of Wyoming. A special thanks is extended to those dedicated individuals who offer their time, talents and resources to improving a student's educational program.

INTRODUCTION

When a school district cannot identify a student's natural parents or discover their whereabouts, the school district must assign an individual within 30 days to act as this student's substitute or educational surrogate parent. This individual is responsible for representing the student's interests in all matters related to the provision of a free appropriate public education, and as such, has all the procedural rights afforded the student's parents regarding his/her education.

By agreeing to act as an educational surrogate parent, you volunteer to take on a satisfying and rewarding responsibility. You will be making important decisions about a student's education, and will have a chance to watch a student learn and grow.

The Educational Surrogate Parent Resource Manual is written for you. This manual will inform and assist you as an educational surrogate parent to understand the special education process and your role in that process. It emphasizes the critical importance of the relationship between the educational surrogate parent and the school district.

Use this manual as you learn about your student and become an active partner with the school district. If both work together cooperatively, the result will be excellent services to students with disabilities.

Section One

**OVERVIEW OF EDUCATIONAL
SURROGATE PARENT PROGRAM**

1. Overview Of Educational Surrogate Parent Program: An Overview
2. Educational Surrogate Parent Qualifications
3. Educational Surrogate Parent Responsibilities
4. Confidentiality
5. Protections For Educational Surrogate Parents
6. Hints For Getting Started
7. Gathering Information
8. Participating As A Partner With The School
9. Student Profile Sheet
10. Summary



Educational Surrogate Parent Program: An Overview

The United Nations outlined the following rights as fundamental for all children:

The right to

- affection, love, and understanding;
- adequate nutrition and medical care;
- **free education**;
- full opportunity for play and recreation;
- a name and nationality;
- special care if disabled;
- be among the first to receive relief in times of disaster;
- learn to be a useful member of society;
- develop individual abilities; and
- enjoy these rights, regardless of race, color, sex, religion, nationality, or social origin.

Wyoming's children deserve these rights, yet some of these rights have, in the past, been unattainable for students with disabilities. It is our responsibility as adults to ensure that each child within the State is granted equal rights under the law.

In the 1970s, important federal and State laws were passed giving students with disabilities the right to a Free Appropriate Public Education (FAPE). This legislation mandates partnerships between parents and educational providers in developing, implementing, and monitoring an Individualized Education Program (IEP) tailored to the specific needs of a student with a disability. Congress felt strongly that the partnership between parents and educators must be preserved and strengthened. The law provides educational surrogate parents for students without parents to serve as partners with educators in making special education decisions.

All States are required to appoint and train educational surrogate parents to represent those students who's natural parents are unavailable to carry out the customary parental role in planning and evaluating their student's education.

Educational Surrogate Parent Qualifications

1. Is an adult and has no interest that conflicts with the interests of the student.
2. Is not an employee of any agency involved in the education or care of the student.
3. Has the necessary knowledge and skills to adequately represent the student.
4. Receives instruction about federal and State special education regulations, procedural requirements, procedures, disabilities, and service options for students with disabilities.

The State of Wyoming thanks you for volunteering to be an educational surrogate parent. The experience will be a rewarding one. A student's education is an important matter, as is your role in working in partnership with the school in developing an appropriate education program.

Through training, you will become informed and confident enough to begin functioning in the special education process. Because students differ, the roles of educational surrogate parents will differ; however, there are many common functions. For this reason, training focuses on general responsibilities and a knowledge of special education. One-to-one consultation from the school district or other parents may also be available to assist you in dealing with unique situations.

Educational Surrogate Parent Responsibilities

You have the responsibility to act on behalf of the student to make sure that he/she receives an education that is designed specifically to meet his/her needs and abilities.

To do this you will need to do the following:

1. Learn about the student's educational needs by
 - a. Reviewing the student's educational records;

- b. Looking at the student's school work;
 - c. Talking with the student about school;
 - d. Communicating with teachers, therapists, caseworkers, foster parents, counselors, etc.; and
 - e. Observing the student at school.
2. Participate in school meetings to plan the student's Individualized Educational Program (IEP) and share information about the student that you have gathered.
3. Understand Parent Rights under special education.
4. Monitor the student's educational development during the school year and participate in a review of the services at least once a year.
5. Serve as the student's educational representative by requesting appropriate services or making complaints about services or the lack of services, if necessary.
6. Negotiate with the school if there is any disagreement about the student's special needs or education program.
7. Represent the student in any complaint, mediation, or due process procedures.
8. Abide by the laws of confidentiality when sharing information about the student.
9. Promote positive communication between the school and other agencies that work with the student (such as the county department of social services, nursing homes, or juvenile justice).

Confidentiality

Under the regulations of the Family Educational Rights and Privacy Act (FERPA), it is your responsibility to keep confidential any information you gather from the student's records, teachers, and others involved in his/her education. Because you will be asked to share some of this information with school and agency staff, you must be able to use good judgment and report only on the student's educational program. You will not be

given access to personally identifiable information about the student's family or background.

If you choose not to continue or if the student is no longer eligible for an educational surrogate parent, you will be asked to return copies of the educational records and all other written information that you have collected while you were assigned to the student.

Protections for Educational Surrogate Parents

1. You have no responsibility for the care, maintenance, or financial support of the student.
2. You will not be held liable for actions taken in good faith on behalf of the student in protecting the educational rights of the student.

Hints for Getting Started

1. Get acquainted with the student.
2. Review the student's records. They contain valuable information that will help you to be a better advocate for your student.
3. Become acquainted with the procedural safeguards afforded you and the student under both federal and Wyoming State law.
4. Become actively involved in deciding the appropriate evaluation, placement and services for the student.
5. Become an equal partner with the school in the educational decision making process.
6. Ask questions if you are unclear on any issue. It is your role and responsibility to be informed.
7. Maintain close contact with those individuals directly responsible for implementing the student's educational program.
8. Establish and maintain positive communications with the school district.

Once you have been formally designated by the school as the student's educational surrogate parent, make sure you have done everything you need to do regarding the student's educational program. Learn as much as you can about the student. You should become aware of his/her likes and dislikes, abilities and needs, and unique ways of learning. You should meet the student's teachers and therapists and attend parent/school conferences or meetings.

Gathering Information

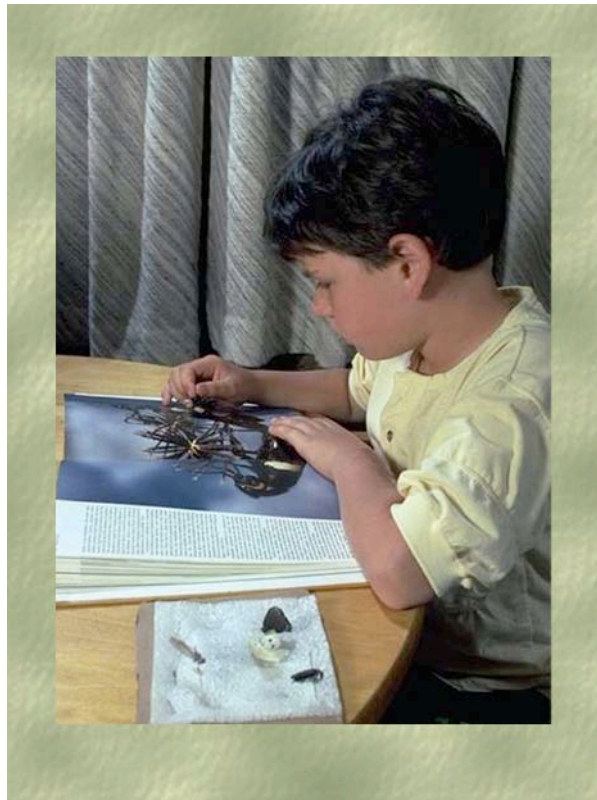
1. Talk with school professionals about the student's educational history.
2. Make arrangements to visit the student's class to talk with teachers.
3. Present yourself as an educational surrogate parent and talk with professionals involved with the student: teachers, therapists, social workers, caseworkers from the department of public welfare, supervisors, and doctors. Talk with them about your student's special abilities and needs.
4. Fill out a "Student Profile Sheet."
5. Keep a log and file of all written and verbal contacts that you have with school personnel.
6. Ask questions about anything you don't understand.

Participating as a Partner with the School

As an educational surrogate parent, you will be serving as a member of your student's IEP Team.

1. Know your role as an educational surrogate parent and be prepared to actively participate.
2. Review the last evaluation done on the student and request copies of the results. Make sure that the evaluation is current and complete. Ask for an explanation of the results if anything is unclear.

3. Review the student's last Individualized Educational Program (IEP) and prepare to participate in developing the next one.
4. Attend parent/school meetings and conferences to plan and/or review your student's educational program. Make specific requests for services if needed. Set up a general way of communicating with the school.
5. Approve the program that you have helped to develop.



Student Profile Sheet

Name _____ Birth Date _____

School _____ Phone _____

Teacher _____ Grade Level _____

1. Student's interests: _____

2. Things the student is ready to learn: _____

3. Special abilities: _____

4. The student needs the most help with: _____

5. Past programs and services: _____

6. Possible suggestions and/or additions to the current program: _____

7. Services that the student needs: _____

8. Special concerns: _____

9. Questions I want to ask: _____

10. Suggestions I have about working with the student: _____

Summary

- Important laws were passed during the 1970s that protected the educational rights of students with disabilities.
- The laws gave parents and professionals an equal partnership with schools in protecting those rights.
- The laws made provisions for students not represented by a parent. Educational surrogate parents are appointed if natural parents are unknown or unavailable.
- An educational surrogate parent is appointed by the school district and provided training by the State.
- Qualifications include an interest in becoming an educational surrogate parent, no conflict of interest with the school district or student and knowledge of special education procedures.
- You must become acquainted with the student and involved in the educational process.
- You will not be held liable for actions taken in good faith on behalf of the student.
- Become an equal partner in the educational decision-making process.
- Be prepared to ask questions about anything not understood.
- Know your role as an educational surrogate parent and be prepared to actively participate.
- Understand the importance of keeping confidentiality regarding the child.

Section 2

SPECIAL EDUCATION OVERVIEW

1. The History Of Special Education
2. Special Education Laws
 - Public Law 108–446—Individuals With Disabilities Education Act (IDEA)
 - Public Law 93–380—The Family Educational Rights And Privacy Act (FERPA)
 - Section 504—The Rehabilitation Act of 1973
 - Americans With Disabilities Act of 1990 (ADA)
3. Summary



The History of Special Education

Special education is relatively new in the history of our country. In almost two centuries of American history, few educational programs and schools were designed for students with disabilities. Education was not a right for these students but a question of luck or where they happened to live or what the severity of their disability.

Denial of education had three serious consequences:

1. Students with disabilities had little hope of developing their individual potentials.
2. Rather than having a chance to lead self-sufficient lives as adults, they were limited to lives of dependency.
3. Without proper education and skills, students with disabilities would become less effective citizens in their community.

The first attempt to meet these special needs dates back to the first half of the 19th century when a few States established separate residential schools for students who were blind and deaf and students with mental disabilities. Students were isolated from their families and the mainstream of life, but at least some had their educational needs met. Often “schools” for students with mental disabilities were no more than long-term care facilities. Public school programs serving persons with disabilities did not materialize until early in the 20th century. These, where they existed, provided only minimal services and almost never served students with severe disabilities. Special education teachers and their students were often isolated from the rest of a school’s student population.

By the end of the 1940s, States began to mandate special education programs, and colleges and universities began preparing teachers in special education fields. By this time, parents of students with disabilities had united into advocacy and political action groups to lobby for services from State and local sources.

Groups, such as Associations for Retarded Citizens, Easter Seals, and mental health associations composed of parents, often went after funds and provided services

directly to their children. Many of these same programs were eventually absorbed into public school systems in the 70s.

The federal government responded in the 60s by giving financial support to universities for teacher training programs and to State and local systems for direct services to students with disabilities. An agency to oversee special education, the Bureau of Education for the Handicapped (now known as the Office of Special Education and Rehabilitative Services), was created by Congress in 1967. By the early 70s, the number of students with disabilities served in public schools was six times larger than in the mid-40s.

During the past several decades, parents have turned to legal action in order to obtain programs and services for children with disabilities. They first had to press, however, for a reaffirmation of two seemingly obvious rights—one legal and the other natural.

1. The right of all students with disabilities to have free appropriate public education
2. The right of parents to play a role in their children's education

The key legal action in which these rights were recognized was the *Pennsylvania Association for Retarded Citizens vs. Commonwealth of Pennsylvania* (1971) case. This case required Pennsylvania to provide a free public education to all students, including students with disabilities. In another important case, *Mills vs. the Board of Education* (1971), the court ruled that a school system could not excuse itself from serving students with disabilities by claiming that it did not have enough money. These and other landmark court decisions ultimately led to more State-mandated special education laws and two federal laws guaranteeing a place for persons with disabilities in the scheme of society and public education. *Section 504 of the Rehabilitation Act of 1973* protects individuals with disabilities against discrimination, and the *Education for All Handicapped Children Act (P.L. 94–142)* of 1975 mandates a free public education for students and young people with special needs. In 1986, *P.L. (Public Law) 99–457* was enacted. This Act extended the rights under P.L. 94–142 to preschoolers with disabilities (3–5 years old). P.L. 94–142 is considered the landmark legislation that

amended the existing Education of the Handicapped Act, better known as EHA. EHA has been amended numerous times since P.L. 94–142. Recently the Act has been amended and titled the Individuals with Disabilities Education Improvement Act (IDEA) P.L. 108–446 in 2004.

As you can see, special education has changed dramatically during the past several decades. Most students with disabilities now receive a free appropriate public education. The goal now is to make sure that this education is designed to build on the strengths of the student and meet his/her special needs. It is a goal toward which parents must continue to work. Parents must also be involved in the education of their children by assisting with the practical aspects of educational programs and by overseeing the system as a whole. Parents need to reaffirm their role as active partners in the education of their children. The old medical model that encouraged parents to accept their children's limitations as unchangeable must be replaced with a firm belief in the potential for human development in all of us. All language in these laws that speak to parents speak equally to educational surrogate parents.

Special Education Laws

The next few pages give a description of major laws that govern special education. These include the following federal laws:

1. Individuals with Disabilities Education Act P.L. 108–449 (IDEA 2004)
2. Public Law 93–380—The Family Educational Rights and Privacy Act (FERPA)
3. Section 504—The Rehabilitation Act of 1973
4. American's with Disabilities Act of 1990

Public Law 108–446 Individuals with Disabilities Education Act (IDEA)

Public Law 108–446 referred to as IDEA 2004 (Individuals with Disabilities Education Act) is a federal law which guarantees all students with disabilities between the ages of 3 to 21 the right to a free, appropriate public education designed to meet

their individual needs. It also offers protection for the rights of students with disabilities and their parents, guardians, or educational surrogate parents.

In Wyoming, students three to 21 with disabilities may receive special education services when they meet the eligibility criteria for one or more of the following disabilities:

- Autism
- Deaf-blindness
- Developmental disability
- Emotional disability
- Health Impairment
- Hearing Impairment
- Learning disability
- Mental disability
- Orthopedic Impairment
- Speech and language Impairment
- Traumatic brain injury
- Visual Impairment

IDEA guarantees rights and protections. For each student with a disability, the school district must provide the following:

1. A Free Appropriate Public Education (FAPE)

Education must be provided at no cost to the student or parents. It must be designed to meet the unique needs of each student with disabilities.

2. Individualized Evaluation

Each student with a disability must receive a complete, nondiscriminatory educational evaluation prior to receiving special education services, and at least once every three years thereafter.

3. Related Services

Related and other supportive services are to be provided as needed to assist a student with a disability to benefit from education. These related services include, but are not limited to those listed below:

- Assistive technology services
- Audiology, speech/language services
- Counseling and/or psychological services
- Occupational and/or physical therapy services
- Parent counseling and training services
- Rehabilitation counseling services
- School health services
- Social work services
- Transition services
- Transportation

4. Least Restrictive Environment (LRE)

Students with disabilities are to be educated in the school they would attend if not disabled. A student should be removed from the general classroom only when he/she can't be effectively educated with the use of supplementary aids and services. This includes making use of general school buildings and general classrooms whenever possible. Joint participation in nonacademic and extracurricular activities—such as meals, art, music, physical education, and recess—are to be encouraged. The amount

of time a student with a disability spends with students without disabilities is determined on an individual basis.

IDEA also provides the following protections:

1. An Individualized Education Program (IEP)

- a. The IEP is a written document of resources necessary to enable a student to receive needed special education and related services.
- b. The IEP is a management tool that is used to ensure that each student is provided special education and related services appropriate to address identified learning needs.
- c. The IEP is a compliance/monitoring document that may be used by authorized monitoring personnel from each governmental level to determine whether a student is actually receiving the free appropriate public education agreed to by the educational surrogate parents and the school.
- d. The IEP meeting serves as a communication vehicle between educational surrogate parents and school personnel and enables them, as equal participants, to jointly decide upon the student's needs, the services that will be provided to meet those needs, and determination of anticipated special education outcomes.
- e. The IEP process provides an opportunity for resolving any differences between the educational surrogate parents and the agency concerning a student's special education needs—first, through the IEP meeting and second, if necessary, through the procedural protections that are available to the educational surrogate parents.
- f. The IEP serves as an evaluation device for use in determining the extent to which the student progresses in meeting the projected goals.

2. Procedural Safeguards

Procedural safeguards help ensure the fairness of educational decisions and the accountability of both educational surrogate parents and professionals. Listed below are some procedural safeguards available to parents:

- a. **Appointment of educational surrogate parents** — When the school cannot identify the parents or discover their whereabouts, the school will assign an educational surrogate parent to represent the student in educational decision making. The educational surrogate parent and school become partners in seeing that an appropriate education is provided for the student.
- b. **Access to educational records** — Educational surrogate parents have the right to review any of the student's education records. You may also request an explanation of the contents and request the records be amended because of inaccurate information.
- c. **Confidentiality of information** — In most cases, the school must obtain educational surrogate parent consent before releasing personally identifiable information.
- d. **Notice** — Educational surrogate parents must be provided written notice before the school's proposal or refusal to initiate or change the student's identification, evaluation, or education placement. The notice must be in the native language and understandable to the educational surrogate parent. The notice must contain these items:
 - A full listing of the due process safeguards available to the educational surrogate parent;
 - A description of the action taken by the school including the rationale for choosing the particular action over other options;
 - A description of the basis of the decision, including each evaluation procedure, test, record, or report the school considered; and

- A description of any other factors that were considered in light of the school's proposal or refusal
- e. **Consent** — The educational surrogate parent's consent must be obtained before conducting the initial evaluation for placement in a program providing special education and related services and before initial placement in a special education program.
- f. **Independent educational evaluations** — Educational surrogate parents may ask for an independent educational evaluation if they disagree with the evaluation from the school district. The independent evaluation is conducted at public expense unless the school initiates a due process hearing to challenge the request. If accepted, the school and educational surrogate parent must consider the result of the independent evaluation in any decision made regarding placement and services. The evaluation is conducted by a qualified examiner not employed by the school district.
- g. **Due process hearing** — It should be the goal of the school and educational surrogate parent to work in partnership in overcoming differences; mediation and complaint procedures are encouraged before either side initiates a due process hearing. If, however, disagreements cannot be resolved, the educational surrogate parent or school may ask for a due process hearing to help resolve the differences. Due process can be seen as a system of checks and balances concerning the identification, evaluation, and services to students with disabilities. The due process hearing is conducted by an impartial hearing officer. The due process procedure will be explained in detail later in the manual.

Public Law 93–380—The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) or Buckley Amendment gives parents of students under age 18, and students age 18 and over, the right to examine records kept in the student's educational file. Among the changes from the previous

regulations is a definition that both custodial parents and non-custodial parents have full rights under the law unless the agency or institution has evidence through court order, statute, or legal document specifically revoking those rights. The major provisions of the Act are as follows:

- Educational surrogate parents and eligible students have the right to review educational records within 45 days from date of request.
- Educational surrogate parents and eligible students have the right to have the records explained and interpreted by school officials.
- School officials may not destroy any records if there is an outstanding request to inspect and review them.
- The school must provide copies of records to educational surrogate parents and eligible students.
- Educational surrogate parents and eligible students may request that records be changed if they believe information contained in educational records is inaccurate, misleading, or a violation of any rights of the student.

If the school decides the records should not be changed, the educational surrogate parent or eligible student must be advised of his/her right to a hearing.

The hearing is to be

- Held within a reasonable period of time, with the educational surrogate parent or eligible student given advance notice of the date, place, and time; and
- Conducted by a party who does not have a direct interest in the outcome of the hearing.

At the hearing, the educational surrogate parent or eligible student has the right to present evidence and be represented by individuals of his/her choice. The decision of the hearing officer is to be in writing, and the decision must be based on the evidence presented at the hearing.

A school may release certain kinds of educational records to education agencies without permission from the educational surrogate parent or eligible student. Persons or organizations to whom information can be sent are given here:

- School officials in the same district with a legitimate educational interest
- School officials in the school district to which a student intends to transfer
- Student financial aid officials
- Research organizations that are helping the school, provided they guarantee confidentiality
- Court orders, provided the school makes “reasonable” efforts to notify the educational surrogate parent or student before releasing the records

A record containing information requests for records must be maintained with the student’s files. Each school district or institution must give educational surrogate parents of students in attendance, or students age 18 or over, an annual notice to inform them of the following:

- School or institutional policy and procedures in providing the rights and protection of P.L. 93–380 (FERPA)
- The right of educational surrogate parents and students age 18 and over to file a complaint if the school or institution fails to comply with the requirements of the law
- The school’s responsibility for communicating in the primary language of the educational surrogate parents and/or student

Section 504—The Rehabilitation Act of 1973

Section 504, the first federal Civil Rights Law that protects the rights of people with disabilities, States that “no ... qualified individual with a disability shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or

be subjected to discrimination under any program or activity receiving federal financial assistance.” Section 504 applies to all recipients of federal funds.

Discrimination is prohibited in these areas:

- The education of students with disabilities
- Vocational education programs
- College programs and other postsecondary education programs
- Employment
- Health, welfare, and other social service programs
- Other programs and activities that receive federal funds

Section 504 and Education

The education provisions of Section 504 are closely coordinated with the requirements of the Individuals with Disabilities Education Act. No student can be excluded from a public education because of a disability. The education must be free and designed to meet the individual educational needs of the student. Students with disabilities must also have equal opportunity to participate in these activities:

- | | |
|---|--|
| • Non-academic services | • Health services |
| • Extracurricular activities | • Transportation |
| • Recreational programs | • Referrals to service providers |
| • Athletics | • Clubs sponsored by the school |
| • Special interest groups or
counseling services | • Referrals for employment
purposes |

In order for a student to be eligible for Section 504 accommodations, they must have a mental or physical impairment that substantially limits a major life activity.

All postsecondary education programs and activities are also covered by Section 504. Recruiting, admissions, and treatment of students must be free from discrimination. Students with disabilities must have the same options as others in selecting courses. Admissions and other tests must not discriminate against people with disabilities.

Colleges and universities must also make reasonable modifications in academic requirements, where necessary, to ensure full educational opportunities for students with disabilities. Such modifications might include extension of time for completing degree requirements, adaptation of the manner in which specific courses are conducted, and elimination of rules prohibiting persons with disabilities from having tape recorders in class or guides on campus. Students with manual, sensory, or speaking disabilities must be given auxiliary aids such as taped texts, interpreters, library readers, and special equipment.

Section 504 and Program Accessibility

The regulations State that programs must be accessible to persons with disabilities. It does not require that every building or part of a building be accessible, but the program as a whole must be. Structural changes to make the program accessible must be made only if alternatives, such as reassignment of classes or home visits, are not possible.

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The ADA gives civil rights protection to individuals with disabilities in private sector employment, all public services, public accommodations, transportation, and telecommunications.

Why is it important for educators and parents to be familiar with the ADA?

Since parents and educators are responsible for students with disabilities who will be seeking employment and independent lifestyles, it is important that parents and educators be able to apprise individuals with disabilities of their rights and protection under the ADA.

How is disability defined in the ADA?

The Americans with Disabilities Act is patterned after Section 504 of the Rehabilitation Act of 1973. Under the ADA definition, a person with a disability is defined as (1) a person with a physical or mental impairment that substantially limits that person in some major life activity (such as walking, talking, breathing, or working) (2) a person with a record of such a physical or mental impairment (such as a person with a history of mental illness or heart disease who no longer has the disease, but who is discriminated against because of their record of an impairment); or (3) a person who is regarded as having such an impairment (such as a person who has a significant burn on his/her face that does not limit him/her in any major life activity but who is discriminated against).

What are some provisions under ADA?

- Employers with 15 or more employees may not refuse to hire or promote a person with a disability because of the person's disability when that person is qualified to perform the job.
- ADA requires that new vehicles bought by public transit authorities be accessible to people with disabilities.
- Under ADA, it is illegal for public accommodations to exclude or refuse persons with disabilities. Public accommodations are the businesses and services that are used everyday by all people such as hotels, restaurants, dry cleaners, grocery stores, school, and parks.
- Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications devices for the deaf (TDDs) or similar device 24 hours a day, 7 days a week, at regular rates.
- State or local governments may not discriminate against qualified individuals with disabilities. Since this includes public schools, public school personnel with disabilities have protection against discrimination.

Summary

- Special education is relatively new in the history of our country.
- In the 1970s, laws were passed to protect the educational rights of students with disabilities.
- The Individuals with Disabilities Education Act 2004 mandates a free appropriate public education for students with disabilities.
- A free, appropriate education must be provided at no cost to parents and must be designed to meet the unique needs of the student.
- Related services are sometimes necessary to help the student benefit from special education. Examples of related services are speech therapy and physical therapy.
- Students with disabilities must be educated in the least restrictive environment, which means educated, to the maximum extent possible, with students without disabilities. The placement should be in the school he/she would attend if not disabled, unless the IEP states otherwise.

Section 3

EDUCATIONAL SURROGATE PARENT'S ROLE IN THE SPECIAL EDUCATION PROCESS

1. Special Education Process

2. Special Education Steps

- Early Intervening Team
- Referral
- Multidisciplinary Team And Evaluation
- Eligibility and the IEP Team
- Individualized Education Program
 - IEP Components
 - Preparation For The IEP Meeting
 - Questions To Consider At The IEP Meeting
- Placement Decision
- Type Of Special Educational Placements
- Continuum Of Special Education Placements
- Implementation And Annual Review

3. Summary

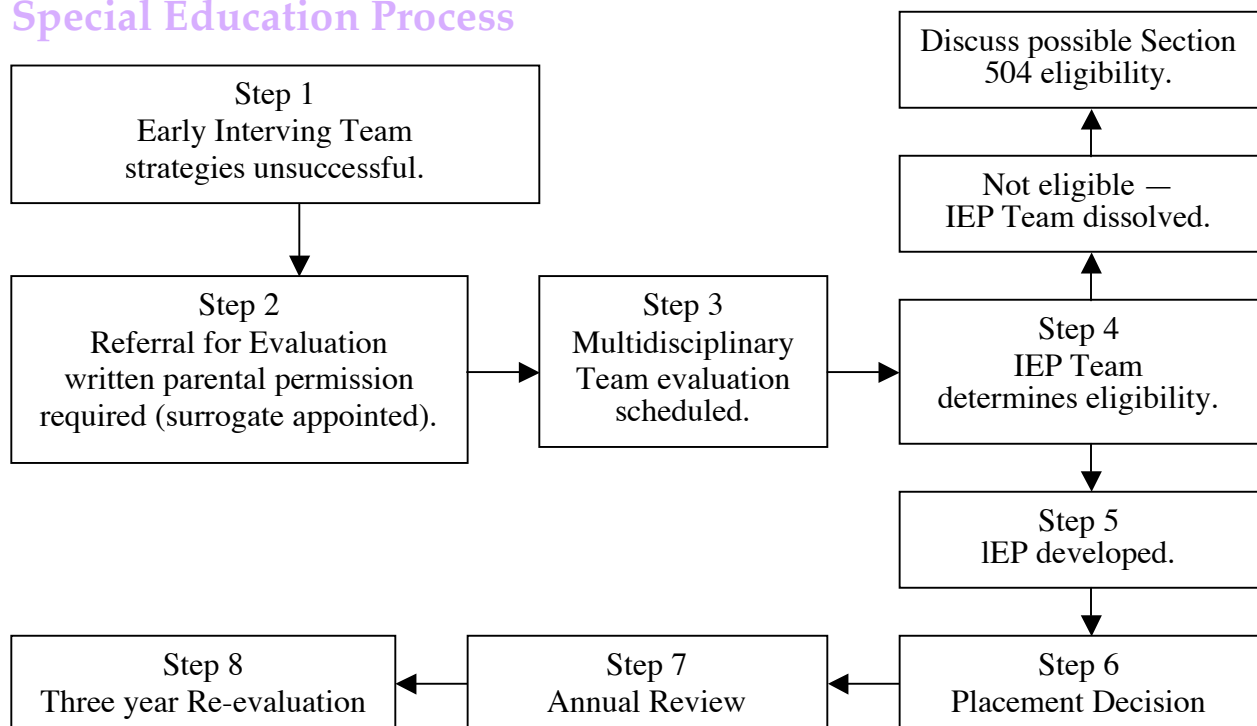
Role In Special Education Process

Section Three of the Educational Surrogate Parent Manual is probably the most important. This section defines your role as an educational surrogate parent and outlines your responsibilities in the special education process. Knowledge and understanding come with experience. When you become a knowledgeable educational surrogate parent, you can have a significant impact on a student's special education program.

Special Education Process

Let's walk through the steps you and the student will take. Each step is important and none should be skipped. This ensures responsible decisions regarding the student. A little time and effort now will increase the likelihood of good programming and a bright future for the student.

Special Education Process



Step One

Early Intervening Team

Most school districts have a early intervening team system that is designed to try all possible research-based interventions and resources of a school before a referral for evaluation is made. The early intervening team system is a general education responsibility and process. The classroom teacher(s), principal, and/or school counselor work together with parents to suggest strategies that are designed to help solve the student's problem.

The intervening team strategies may be determined through the following:

- Parent conferences
- Consultation with school counselor
- Consultation with school nurse
- Vision and hearing exam
- Classroom observations by other professionals
- Early Intervening Team working together

Interventions vary according to each individual student. School professionals and parents decide what is best for the individual involved. If the problem persists after several interventions and time, a referral for an evaluation is initiated.

Examples of early intervening team strategies are listed below:

- Peer tutoring
- Adjusting assignment size
- Giving additional time for tests
- Assignment sheets
- Teaching study skills
- Adjusting student's schedule
- Designing a behavior management plan

Step Two

Referral for Evaluation

A referral begins the process of gathering information about a student in order to decide if special education is needed. Usually the Early Intervening Team makes a referral for an evaluation. After the referral is completed, the school must notify and explain the referral and evaluation process to the student's parent. When a school district cannot identify the natural parents or discover their whereabouts, the school has the duty to assign an individual to act as a substitute or educational surrogate parent. They must also inform the parents of their due process rights and obtain written consent before the initial evaluation is started. Referral is the first point in the process at which parent involvement is required, although many schools encourage involvement during the early intervening process.

Several circumstances can prompt the decision to refer a student for evaluation and possible placement in a special education program. These include academic performance significantly below that of other students; behavior that differs significantly from other students; communication difficulties in speech and language; and physical concerns such as vision, hearing, mobility and health.

Remember —

- Get an explanation of why the student was referred.
- Ask if other strategies were tried before the referral was made.
- Get an explanation of the evaluation procedures.
- Understand and receive a copy of your special education rights.
- Get a copy of the written referral.
- Ask questions if you are unclear on anything.
- Sign the initial permission to evaluate form.

Step Three

Multidisciplinary Team Evaluation Process

After the school has discussed the referral and received your written permission for testing, an evaluation is scheduled. Evaluation refers to the process of gathering information about the student, which may take several weeks to complete. If the student is already in a school program, he/she will remain in that program until the evaluation is completed and a meeting is scheduled to discuss the testing results. It is necessary to use class time to complete some testing, so make sure the student completes any homework during this evaluation period.

Evaluation is a way of gathering and interpreting information about your student in order to find out if she or he needs special education services.

The evaluation should answer a variety of questions about the student.

- Why is the student having problems at school?
- What are the factors causing the problems?
- What are the student's educational weaknesses?
- What are some educational strengths?
- What are the student's current academic levels?
- What are the student's abilities?
- How does the student get along with others?
- Does the student have a disability?

The student's evaluation should address five areas that might affect learning. Below are areas in which the student might be evaluated:

- Physical Evaluation
 - Gross Motor
 - Fine Motor

- Communication Skills
 - Written
 - Oral
- Social/Emotional Skills
- Intellectual Functioning
- Educational Performance

Components of the Evaluation Process

At the referral phase of the process when there is an indication of a possible disability, the evaluation process is begun to determine if a disability exists. Information is collected that will assist staff and educational surrogate parents in understanding the needs of the student. Such information will also assist staff and educational surrogate parents in planning and programming for the student.

One way of approaching the evaluation is to examine the intellectual, communicative, educational, social and physical aspects of the student through formal and informal evaluation. Each of the five areas might be evaluated, but the degree to which any one area is evaluated is dependent on the individual student's needs. For example, for a student who is hearing impaired, a physical evaluation would include an audiological evaluation but does not necessarily include comprehensive motor evaluation by an occupational or physical therapist if there were no concerns in that area. Such an approach does not presume that five different professionals will evaluate the student, but rather, an approach is recommended that incorporates the team concept in evaluating the student's total functioning. All evaluations must be conducted by persons qualified to evaluate specific areas.

Physical

The physical evaluation of the individual must include health history, current health status, and vision and hearing status. It may also include an examination of a student's fine motor skills, including small muscle movements such as reaching and grasping and gross motor skills, including large muscle movements

such as walking and running. All of these components should be observed; however, the extent of each evaluation is dependent upon the student's needs and abilities as previously stated.

Communicative

This includes an evaluation of a student's speech production, (e.g., articulation, speech intelligibility, voice, fluency, oral peripheral structure, primary mode of communication and receptive as well as expressive language abilities).

Social/Emotional

Social/emotional evaluation may include pertinent family and developmental histories and an evaluation of the individual's social/emotional/behavioral functioning. A student's adaptive behavior or interactional skills with both adults and peers at school and in the home and community might also be included in the social evaluation.

Intellectual

An evaluation of the student's intellectual functioning may include an examination of perceptual, adaptive, and intellectual abilities. Evaluation of intellectual abilities should include an evaluation of the individual's reasoning, judgment, and memory. Attending skills, perceptual organization, and integration should also be evaluated.

Educational

The educational evaluation may be comprised of a developmental, vocational, and/or academic evaluation depending upon the student's age and ability level. The educational evaluation should include an analysis of the student's specific abilities; learning style; rate of learning; achievement in reading, math, and language and developmental levels together with an evaluation of self-help skills and activities related to daily living skills. The career/vocational evaluation may include informal analysis of the student's knowledge and experiences relative to school, home, and community. This evaluation may look at such things as career/prevocational/vocational related behaviors, vocational self-help skills, social emotional adjustment, work attitudes/responsibilities, cognitive learning ability, and perceptual motor skills.

It is important to note that the purpose of the formal evaluation is to gather information and, based upon this data to begin to construct a comprehensive profile of the student. When an evaluation of sufficient scope and depth is completed, the combined data should yield an accurate view of the student, outlining specific strengths and weaknesses. This information is critical to the development of a range of services to meet the identified needs of the student.

The evaluation will be completed by more than one individual. The team will use a variety of instruments and approaches to determine if problems exist. If necessary, the evaluation process will be adapted to specific cultural and language differences. Procedures and instruments must be adapted for those students with disabilities who cannot successfully perform with traditional materials.

When the evaluation is completed, the school will schedule a meeting to discuss the results with you at a mutually convenient time and place.

Step Four

Eligibility and the IEP Team

Step four involves a meeting with the Multidisciplinary Team to discuss evaluation results, determine needs, and establish if a disability exists that will require the help of special education. In Wyoming, this is usually the same team that develops the Individual Education Program and is referred to as the IEP Team.

The following individuals are members of the IEP Team:

- Parent(s) or Educational Surrogate Parent
- Special Education Staff
- Classroom Teacher
- School Administrator
- Student (when appropriate)

There may be times when the educational surrogate parent would like to invite an appropriate person(s), e.g. the student's foster parents, to the meeting. If this is the case, please notify the school principal prior to the meeting.

The special education staff who attends the meeting will vary according to the situation. In most cases there will be a school psychologist and special education teacher. If the student was referred for speech, language, and/or motor difficulties, then a speech therapist, physical therapist, and occupational therapist may take part in the meeting.

Please remember that you are an equal team member. The information you can share regarding the student is as important as professional evaluation results. Ask questions and give input.

If the IEP Team determines that the student has a disability and is in need of a special education program and related services, the next step is the development of the Individual Education Program (IEP). This program is unique for the student and will be instrumental in helping the student reach his/her full potential. The IEP meeting usually occurs right after eligibility has been determined. If it does not, you should be notified of the time when the IEP will be developed.

Step Five

Individualized Education Program

In most cases, the same people forming the IEP Team will be developing the IEP. The purpose of the IEP meeting is to design an educational program that will allow the student to succeed and grow according to his/her potential. The IEP will contain educational goals and objectives for the student. The following information will help you to prepare for and participate in the IEP meeting.

IEP Components

- Present levels of academic achievement and functional performance
 - “Can Do Statements”

- “Cannot Do Statements”
- Annual goals
 - What the child is expected to achieve during the school year
- Special education and related services and who provides these services
- Time with peers in general education program
- Duration and dates of services
- How progress is measured and how you will be informed
- Annual Review date

Preparation for the IEP Meeting

Ideas for you to consider before and after the IEP meeting

- **Talk to the student.** Find out how the student feels about school. Find out likes and dislikes. Ask for his/her opinion about what changes could be made to make school better.
- **Review the student’s records.** Make an appointment with school prior to your IEP meeting and review what is contained in the student’s records.
- **Visit the student’s classroom.** Make an appointment to observe the student in the classroom.
- **Before the IEP meeting, be sure you understand the nature and basis of the student’s disability.** Do you have enough information? Have you reviewed the evaluation reports? Do you understand the meaning of the disability?
- **Prepare to share what you know about the student.** Jot down some notes about the student to bring to the meeting, such as interests, hobbies, relationships with family and friends, behavior at home, things the student does well, and things the student has difficulty doing.
- **Prepare your own questions.** Write a list of questions you would like to discuss at the meeting. Bring the list with you.

- **Find out who will be attending the meeting.** Call the school and ask who will be at the meeting. Is there anyone not present from school or outside of school you would like to invite? Notify the school district if you intend to bring someone from outside of school (friend, advocate, outside evaluator, etc.). This person should be someone who knows the student and understands his/her educational strengths and weaknesses.
- **Be prepared to discuss your expectations for the student.** Talk with other parents who have attended IEP meetings before attending your own. Jot down what you think the student needs and the extent of progress you would like to see during the year. You should consider the student's vocational and prevocational needs. This applies to students of all ages.
- **Bring any recent evaluations or reports done outside the school** that you think will be of value.
- **Bring samples of student's work from activities done in or out of school** that you feel say something about the student.
- **Think about whether the student should be involved at the IEP meeting** and discuss this with school personnel.
- **Keep a file of your communications with the school.** The file should include school correspondence, forms, test results, IEPs, report cards, and samples of school work.
- **Talk with other people who have educational information about the student.** The student might have a social worker.
- **Visit the home or facility in which the student lives** and learn about home activities.
- **Talk with other individuals who know or work with the student,** such as the caseworker, therapists, or other specialists.

- **Learn about the student's medical history.** Medical problems may have affected the student's school work. You should also be aware of medication that the student may be taking as it may affect his/her school day.
- **Request a copy of the IEP form used by your school district.** Use it to review the program components that will be discussed at the meeting and note which items you would like to see included and any additional questions.
- **Keep a positive attitude.** A sense of humor and attitude of partnership are important to good communication.
- **Be a partner with the school.** These points are a framework to assist you in preparing for meaningful participation in planning the student's educational program. Adequate preparation is not a simple matter and, if done well initially, will take several days. The time, however, will be well spent in increasing your level of knowledge about the student, thus enabling you to communicate as an effective and responsible educational surrogate parent.

Questions To Consider At The IEP Meeting

- What is the student's schedule?
- Does the special education program have an instructional aide?
- Are the academic services being offered connected to the school's general academic services?
- What are some of the unique instructional strategies specified to meet the student's needs?
- What related services are being offered to meet the student's unique needs?
- What other placement options were considered for the student?
- If the student's placement is not in his home school or the student requires transportation, what kind of transportation arrangements have been made?
- What opportunity is there for mainstreaming and what are the plans for eventual integration (i.e., working in the general classroom)?

- What, if any, extended school year services are included in the IEP? (See question/answer section.)
- What disciplinary procedures are employed by the school, and are they appropriate for the student?
- For older students, have transition and graduation goals been included?
- What does the school expect of you? Are there provisions in the IEP for continually updating you as to the progress the student is making?¹

Step Six

Placement Decision

The decision to place the student in a certain special/general education environment is made after the student's needs are determined and the IEP is developed. The services must occur in the "least restrictive environment." According to law, the principle of least restrictive environment (LRE) means that each student with disabilities is to receive an appropriate education with general education students to the maximum extent possible based upon the student's unique needs.

Students should only be placed in special classrooms or special day schools when their special needs prevent them from receiving an appropriate education in a general classroom with supplementary aids and services. A continuum of educational placements must be considered when making placement decisions.

Placement decisions regarding LRE must be based on the student's needs as described in the student's IEP and not reflect administrative convenience or absence of other placement options. The least restrictive environment concept is also related to geographic locations. Whenever possible, a student with disabilities should be educated in the same school building he/she would attend as a general education student. Removal from the general classroom may occur only when the nature or severity of the

¹ Excerpts from Reed Martin, "You and the Law"

disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Type of Special Educational Placements

General Classroom with Special Instructional Materials and/or Equipment

The student is placed in a general classroom with the aid of special instructional materials and/or equipment. A visually impaired student needing only large print materials is an example of this special education service.

Resource Room

The student is enrolled in a general education program, but goes to a specially designed room to receive part of his/her instruction from a resource teacher. A resource room for students with learning disabilities is an example of this type of placement. The amount of time spent by the student in the resource room depends on the student's individual needs.

Self-Contained Classroom

The student is enrolled in a self-contained classroom but might receive some academic instruction in general education classrooms. Self-contained usually means the student spends over 50 percent of his/her school time in this classroom working on academic, nonacademic, and self-help skills. The special education teacher is responsible for monitoring the progress of the student in his/her general classes and providing appropriate support.

Day Treatment Center

A private day treatment facility serves students with special needs. The student attends school at the day treatment center and returns home after each school day. The student is enrolled in a special day treatment center if his/her social/emotional needs could not be met within the public school system. At the day treatment center the student works on academic skills, such as reading, language, and math. Part of the program could include help with social and emotional concerns.

Residential Child Care Facility

The student stays at the care facility day and night but might return home for holidays and special occasions. The student is enrolled in a residential child care facility if he/she needs intensive comprehensive services. The total residential treatment program should include educational experiences that help to develop and improve the student's ability to cope with the environment. The goal is that the student be able to return to the community and the public schools at a later date.

Homebound/Hospital Instruction

The student is enrolled in homebound or hospital instruction if his/her health problem is so serious that school attendance is impossible or if he/she is temporarily disabled by illness, operation, or accident.

The student with disabilities will be removed from a general educational program only when the nature or severity of the disability is such that education in a general educational environment with supplementary aids and services cannot be accomplished satisfactorily. It is very important that the student participate in general education activities. This includes recess, lunch, and physical education.

Before you sign the approval for initial placement, please know these four things:

1. Timelines — when the services will start and how long they will last. Services should begin within a few days after the IEP is developed.
2. Progress Plan — and when the student's educational progress will be measured and reported.
3. Communications — how, when, and by whom you will receive information regarding the student's program. If modifications need to be made at a later date, an IEP review meeting can occur and changes can be made.
4. Individualized Education Program—ask for a copy.

If you are satisfied with all factors and feel confident that your student will receive an appropriate education in the least restrictive environment, then sign the permission for special education placement form.

Continuum of Placements

Most Conventional

General Education Classroom



Special Materials/Instruction



Resource Room



Self-Contained Services



Day Treatment Centers



Residential Child Care Facility



Homebound/Hospital Instruction

Least Conventional

Step Seven

Implementation and Annual Review

Program implementation includes actual placement of the student into the program agreed upon at the IEP/Placement meeting. The responsibilities that were developed among teachers, therapists, the student, and educational surrogate parents are carried out.

The final phase of the educational process is the annual review of the student's program plan. According to law, the committee must meet at least once a year to review the IEP. At this annual program review, the committee is responsible for recommending:

1. that the student's eligibility, program and placement remain the same, or
2. that the student's program and/or placement will be changed.

Since the student's IEP must be in effect at the beginning of each school year, it is reviewed annually (once a year). During the annual review phase, the cycle returns to the development of a new or revised educational plan (new goals and services).

The annual review is only one very small part of the total picture of parent/school communication. It is designed to protect each student's right to an appropriate education, by guaranteeing at least a yearly review and revision of his or her educational program. Educational surrogate parents have the right and responsibility to initiate and maintain communication at any time in order to keep current with the student's educational program.

As you can see, the student's IEP is much more than a written document. It is an ongoing process, a tool for planning, implementing, and reviewing the student's educational program. The IEP should never be seen as the final word, but as an evolving process as the student develops. Open communication between the school and educational surrogate parent will help to ensure that the student is receiving the special education and related services that he/she needs which is, after all, the purpose of the IEP. Every student with disabilities should have a complete reevaluation every

three years. This is called the reevaluation process. The student is given a complete evaluation, and the IEP is reviewed and revised. During the annual review, the IEP Team should consider the need for Extended School Year (ESY) services. ESY is intended for students who substantially regress in their education skills over interrupted periods when school is not in session, such as summer vacations.

Step Eight

Re-evaluation

Every three years, the IEP Team must decide if the student needs to be re-evaluated. In most cases there is ample educational information on the student to make informal decisions regarding the students educational program. If conditions warrant, a student might need a re-evaluation to help make eligibility, services and/or placement decisions.

Summary

- If a student experiences learning problems at school, the general education program should attempt many strategies before making a referral to special education. Early Intervening Teams plan research based accommodations and alternate teaching methods for the student with the goal of preventing a referral for evaluation.
- The referral is made by the Early Intervening Team regarding a student who has experienced difficulties at school.
- The referral begins the process of gathering information about a student to determine if he/she needs special education.
- When the school cannot identify the natural parents or discover their whereabouts, the school must assign an individual to act as a substitute or educational surrogate parent.
- The evaluation process involves observations, interviews, and evaluations.
- The evaluation is completed by more than one individual and is adapted to specific cultural and language differences of the student.
- The educational surrogate parent is involved with the evaluation by providing family history, developmental history, and general observations.
- The staffing is a meeting to discuss evaluation results, determine the needs of the student, and determine if the student has a disability that will require special education services.
- The educational surrogate parent is an equal team member at all meetings.
- If a disability is found that requires special education, an Individualized Education Program is developed that addresses the unique needs of the student.
- The IEP contains the educational goals for the student.
- The IEP is reviewed annually and if conditions warrant, the student is re-evaluated every three years.

Section 4

SCHOOL COMMUNICATIONS AND MEETINGS

1. Introduction
2. Methods Of Communicating
3. Preparing For A Meeting
4. Communicating At School Meetings
5. Reporting Progress And Concerns
6. Resolving Differences With The School
 - A. Informal Procedures
 - B. Formal Procedures
 1. Complaint Process
 2. Mediation Process
 3. Resolution Meeting And Due Process Hearing
7. Meeting Other Parents And Educational Surrogate Parents
8. Questions And Answers
9. Summary

Introduction

Good communication between and among educational surrogate parents, school personnel, and other professionals is an essential ingredient of effective and meaningful participation in the student's program. It is far more likely that you will be able to fulfill your responsibilities if you use good communication skills throughout the process. Most importantly, you should remember that as an educational surrogate parent, you have the same rights as natural parents or guardians in the special education process and one of these rights — indeed a major responsibility — is full participation. You have an important and legitimate role to play: an equal partnership with the school in providing a quality education for your student.

Effective communication implies that understanding and support is given and received between both parties. Real communication is two-way: each side listening to and respecting the other. Keeping this in mind, here are suggestions for fostering good communication:

- **Be positive.** A sense of humor and positive attitude of partnership are important to good communication.
- **Be prepared.** Know in advance points you wish to address, concerns you need to express, and questions you wish to ask.
- **Be direct.** Direct your comments to the person for whom they are intended.
- **Be consistent.** Good preparation and frequent communication with the school will help avoid misunderstandings.
- **Be confident.** Don't feel guilty for asking questions. Remember, you are an equal partner with the school.
- **Be under control.** You can be assertive without losing control. Try to be positive and willing to see both sides of all issues.
- **Be involved.** Ask questions of anyone at the meeting in order to clarify a point or simply as a tool for effective communication.

Remind yourself generally that you are an integral part of a team working together on behalf of the student, and that the key to success is good communication.

Methods of Communicating

Communication is more than the spoken word between two or more parties. As well as speaking, attitudes and thoughts are transmitted by how you speak, your body language, and the written word.

Knowing how to present yourself and your concerns can be just as important at a school meeting as knowing what to say. Following are several suggestions on how to present yourself to enable you to communicate positively.

For Educational Surrogate Parents

- Find a seat within the group, not apart from it.
- Have a relaxed and pleasant facial expression.
- View yourself as an equal member of the team with important information to share about the student.
- Communicate your respect for the other participants.
- Listen attentively to school personnel and be willing to learn from them.
- Present your comments in a clear and positive manner.
- Thank the school personnel for their cooperation.
- Talk about the student's strengths and positive traits as well as his/her weaknesses.²

² Partially adapted from: "Assertiveness and Advocacy Exercises," Roger Manus, Developmental Disabilities Training Institute, The University of North Carolina at Chapel Hill.

Assertiveness IS... Assertiveness is NOT...

Assertiveness IS...

- Expressing your needs clearly and directly
- Expressing your ideas without feeling guilty or intimidated
- Sticking up for what you believe the student needs
- Knowing your rights
- Writing down what the student needs and all facts pertaining to his/her case
- Treating professionals like partners
- Effective communication
- Conveying your feelings of self confidence when you communicate with others
- Advocating effectively on your own behalf
- Self-reliance and independence
- Working together to get the services the student needs
- Analyzing a problem and pinpointing the area of responsibility before you act
- Organizing for change
- Having a positive attitude at all times

Assertiveness IS NOT...

- “Beating around the bush” before stating your needs
- Feeling too guilty or afraid to express your needs
- Being ignorant about your rights
- Leaving things to others because “they know how to do those things”
- Apologizing when asking for what is rightfully yours
- Ineffective communication
- Begging for what is legitimately yours
- Giving to others your right to advocate on behalf of the student
- Reliance and dependence on others
- Giving up when you run into “red tape”
- Acting too quickly before you get all the facts
- Letting the politicians “take care of the law and all that political stuff”
- Acting only on your own behalf
- Giving in to defeat

Preparing for a Meeting

As an educational surrogate parent, your most important goal is an appropriate educational program for the student. This requires that a great amount of thought be devoted to preparing for involvement in planning the student's program. To assist, follow these guidelines:

- Be prepared to work cooperatively with professionals involved in the student's program.
- Think through what you know about the needs of the student, and seek to learn that which you don't yet know.
- Think through what you've learned about what the student CAN and CANNOT do.
- Be prepared to share your questions, concerns, and/or praise as appropriate.

As an educational surrogate parent, you may not know as much about the student as others with whom you will be communicating at school meetings. Part of your role is to represent the student's best interests, which can be accomplished by learning as much as you can about the student.

Communicating at School Meetings

School meetings are a crucial part of the student's educational program. Their success largely depends on preparations the educational surrogate parent makes. Allowing input from and participation by educational surrogate parents may not routinely be a part of the meeting procedure. You may have to take the initiative for this involvement.

Educational surrogate parents must work to make their participation extend beyond giving consent and accepting explanations. You must participate by asking questions that give direction to the team's attention, raise issues, gather information, and clarify points.

If you use common sense and employ good human relations skills, you will find it far more likely that a positive joint endeavor results.

Questions are valuable because they help you to be active during a meeting. Questions increase your concentration on what is being said. Using questions may give you greater control over the direction the meeting is taking.

Educational surrogate parents and professionals must learn not to fear questions but to respect them. You must not let the fear of asking what might sound like a “dumb” question stop you from asking. You must not let the fear of asking a difficult question of a professional stop you from asking.

Following are some of the areas about which you might ask questions at your school meetings:

- What can the student do NOW?
- What problems may exist in the physical development, speech, hearing or vision of the student?
- How does the student learn?
- What are the annual goals?
- What are related services the student may need?
- When will the school provide the student with related services?
- How much will the student be a part of the general education program?
- How will the school keep a record of the student's progress?
- How will you and the school maintain communication about the student's progress?
- What can you do to help?

It is important to realize that teachers are not miracle workers, and are not necessarily responsible if the student does not succeed. Teachers are dedicated, interested professionals trying to do a good job. Educational surrogate parents must learn to view the school staff as fellow human beings with similar needs for respect and recognition. You must learn to express your concerns and dissatisfaction freely, but without attacking and being undiplomatic.

Reporting Progress and Concerns

Good communication requires an ongoing effort by educational surrogate parents and professionals. It is important to maintain communication throughout the school year in order to monitor the student's progress and resolve minor difficulties before they become major problems. Set up a way to regularly communicate with school personnel between official conferences. Regular visits to the student's class should be planned, as well as a system of communicating by mail or phone. In some cases, you may have to take the initiative to set this up. It is quite appropriate to have this system of communication written into the student's IEP.

It is important for educational surrogate parents to be certain that they receive any bulletins, newsletters, or other communications that are sent home from school. Request that these be mailed to you so that you are aware of all school activities and other matters routinely communicated to parents.

The IEP itself serves as a communication vehicle. Look it over from time to time between meetings to note whether or not the student's progress reports reflect the goals listed. As stated earlier, you may request a conference to review the IEP at any time if you feel that it is appropriate to do so.

Communication between you and school personnel gives each an opportunity to express concerns, program needs, observations, and praise. Be involved and learn about the student's needs and abilities. At the time of the school meeting, you begin to establish this level of your participation. The more prepared you are, the more confidence you will have and the more involved you can become. The school meeting is not the end of the process. It is ongoing and is enhanced by maintaining regular communication with the school.

Resolving Differences with the School

It is possible that you may sometimes disagree with school representatives on issues pertaining to the student's educational program. Even if you employ positive communication strategies, there is no guarantee that all parties will agree on all issues. Disagreements can be handled either informally through discussion with school officials or formally through mediation, complaints procedures, or a due process hearing. You may request a due process hearing at any time during the course of the disagreements; however it is always encouraged to use informal mediation techniques before resorting to extreme alternatives.

Informal Procedures

It is always recommended to resolve any differences through informal discussions with the person(s) involved. Most disagreements and misunderstandings can be worked out through positive and respectful dialogue. If, after numerous attempts have been made to resolve the problem and disagreements still exist, you have the option to resort to a more formal method.

Formal Procedures

Mediation

- a. At times, parents and school officials disagree about the student's special education program. Mediation is a process that assists those parties in reaching an agreement. It is a quick and positive method for resolving disputes in a non-adversarial manner.
- b. Mediation gives both parties equal opportunities to solve their problems by developing an agreement that reflects the best educational interests of the student.
- c. The special education mediation process is —

Voluntary

It is optional for both parties.

Confidential

It is open communication in a confidential setting. There is no disclosure of information given by either party.

An Alternative

It may occur prior to or concurrent with a request for a due process hearing. It does not interfere with either the right to due process or with due process timelines.

Complaint

WDE maintains a system to receive and resolve written complaints that allege a public agency has failed to meet a compliance responsibility.

- a. Upon receiving a signed, written allegation that a public agency has failed to meet one or more compliance responsibilities, WDE determines if the allegation provides information adequate to constitute a formal complaint.
 1. Adequate information for a formal complaint includes, at a minimum, a written description of the facts surrounding the asserted unmet compliance responsibility.
 2. If a written allegation does not constitute a formal complaint, WDE informs the organization or individual submitting the allegation of any additional information required.
- b. For each formal complaint received, WDE conducts a thorough investigation of each alleged failure to meet a compliance responsibility set forth in the complaint. WDE or the independent investigator gathers whatever information is necessary to determine the validity of the complaint.
 1. If the school district has failed to meet one or more of the compliance responsibilities addressed in the complaint and must

submit within 30 calendar days a corrective action plan to eliminate the compliance deficiencies.

- I. Upon acceptance of a corrective action plan from the public agency, WDE notifies both parties.
- II. If a public agency fails to correct deficiencies within one year, the State Superintendent initiates whatever enforcement action is necessary.

The Resolution Meeting and Due Process Hearing

You have the right to the following:

- a. Be involved with a resolution meeting with the IEP Team to help solve the differences between you and the school.
- b. Initiate a due process hearing on any matter relating to the proposal or refusal of a school district to initiate or change the identification, evaluation, educational placement, or free appropriate public education of the student.
- c. Have the hearing conducted by an impartial hearing officer who is not employed by a public agency involved in the education or care of the student or who may have a personal or professional conflict of interest.
- d. Have the hearing scheduled at a time and place reasonably convenient to you and the student. During the hearing procedures, you have the right to
 3. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to problems of students with disabilities;
 4. Present evidence and confront, cross-examine, and compel the attendance of witnesses;
 5. Prohibit the introduction of any evidence at the hearing that has not been disclosed at least five days prior to the hearing;

6. Obtain a written or electronic verbatim record of the hearing;
 7. Open the hearing to the public if you desire;
 8. Have the student present during the hearing; and
 9. Obtain written findings of fact and decisions no later than 45 days after request of the hearing unless waiver of timelines is granted by the hearing officer at the request of either party.
- e. Be informed of any free or low-cost legal or other relevant services if you request the information or if you or the school district initiates a due process hearing.
 - f. Have the student remain in the present educational placement unless you agree in writing to other arrangements. If the dispute is over initial admittance to school, you have the right to have the student placed in a public school program with your consent until the hearing proceedings are over.

Meeting Other Parents and Educational Surrogate Parents

As you begin fulfilling your responsibilities in the role of an educational surrogate parent, attempt to meet others who have taken on this role, as well as other parents of students with disabilities. Experienced individuals who have been through the process of ensuring appropriate educational programs for their students can serve as valuable resources to those who are just starting out. If you attended a training session for people interested in becoming educational surrogate parents, it is likely that you met others with whom you found a mutual sharing of questions and concerns beneficial. In addition, you might ask the Director of Special Education in your school district to put you in touch with experienced educational surrogate parents or have them contact you.

The school might have an annual open house, general PTA meetings, or school programs. Whenever possible, join a parent group. Talking to other parents can help answer questions and give you ideas to work positively with the school.

Questions and Answers

1. Q. I don't know the student very well. How can I participate fully in planning his/her educational program?

A. There is no way that you can be as familiar with the student as a natural parent or a foster parent because you don't live with the student. Merely by agreeing to take on the role of an educational surrogate parent, you have made a commitment to learn about the student. By asking questions of those who do know the student and by following the suggestions included in this manual, you will begin to be sufficiently informed and knowledgeable about the student's needs to assist in planning for the educational program. Remember, talking to other parents and educational surrogate parents can help increase your level of confidence.

2. Q. What if, after receiving the list of those who will be attending the meeting, I notice that a particular specialist who works with the student is not included?

A. If you feel that it is important to have a specific person present because he/she has important information to share that might have some impact on planning the student's program, by all means request that this person be invited. If the individual in question is unable to attend because of a schedule conflict, you could request that the meeting be rescheduled at a mutually convenient time.

3. Q. What if, during the school meeting, the greatest emphasis is placed on development of the student's academic skills and it is my opinion, based on my observation of the classroom and review of the records, that the student's needs indicate greater emphasis on improving the self-help skills?

A. As the educational surrogate parent, you have the right to indicate your feelings about prioritizing the student's needs, and should not be reluctant to do

so. You should, of course, be prepared to document your feelings with specific reasons based upon your observations.

4. Q. I have requested a specific service for the student and the school has responded that the service cannot be provided simply because they do not have the money. What can I do?

A. Funding cutbacks at the federal and State levels are affecting schools. However, this in no way indicates that the needs of a student with disabilities should not be addressed. It cannot be used as an excuse for not providing appropriate programs.

You and your school might explore alternative ways of serving the student. If the service required is not available at the student's school, perhaps someone from another school might be able to allocate some time to working with the student, or the service might be available in a neighboring school district with which a cooperative agreement might be established. You might even consider suggesting inservice training for personnel from the student's school that might assist them in providing the service.

In any case, be certain that if the service has been proven to be a demonstrated need through the process of a comprehensive evaluation, a temporary plan is written indicating what will be done to help the student (until the service can be provided in an appropriate manner).

5. Q. Will I get paid for being an educational surrogate parent?

A. Educational surrogate parents may be reimbursed for all reasonable and necessary expenses incurred in pursuit of duties. This includes travel to attend meetings regarding the student. Reimbursement will be subject to Wyoming State fiscal rules.

6. Q. Could I be assigned to a high school student?

A. Educational surrogate parents could be assigned to students 18–21 years who need one; the student should be actively involved in meetings whenever possible.

7. Q. What should/shouldn't I sign?

A. As an educational surrogate parent, you will be asked to sign forms relating to the student's special education. This will include initial evaluation and initial program placement. You should not give your consent to any proposal you feel is inappropriate and would not meet the student's need.

8. Q. How often can I visit the student's school?

A. Make sure that you go through the necessary steps to set up a visit by contacting the teacher or principal. (Check to see what the procedure is in the student's school.) If you would like to talk with any of the school's staff who work with the student, other than the teacher, make separate appointments to see them as well.

9. Q. Is It all right to get more involved with the student than just participating in the school program?

A. Some educational surrogate parents choose to become more involved by visiting the student at home or going on outings. This is a decision that needs to be made jointly by you and the personnel at the student's home, who may or may not feel that the additional involvement would be of help to the student. Remember, though, that you can be a very effective educational surrogate parent even if you choose not to become involved outside the area of education. As an educational surrogate parent, your only obligation to the student is in the area of special education.

10. Q. Can I be held liable if I make a wrong decision about the student?

A. A person appointed as an educational surrogate parent in Wyoming shall not be held liable for actions taken in good faith on behalf of the student in protecting the special education rights of the student.

11. Q. How much do I need to know about the student's disability? How can I learn more about it?

A. You can be a very effective educational surrogate parent without knowing a great deal about the student's disability — provided that you know a great deal about the student. However, it may be helpful for you to learn about some of the special needs that students with certain disabilities require. Ask the student's teacher for written materials, or contact any of the appropriate State and national organizations. The public library may also be useful.

12. Q. Will the school evaluate my activities as an educational surrogate parent?

A. Schools do have the responsibility to support the activities of educational surrogate parents to make sure they are carrying out their duties. Think of the school in terms of supporting, not evaluating.

13. Q. What if I have a question after I'm assigned as an educational surrogate parent? Whom do I ask?

A. Start by asking the student's teacher, principal, or other school personnel who work with the student. They can probably answer most of your questions. You might also contact a parent of another student in the student's class. Also, other surrogate parents can be a good source of support.

14. Q. If the student doesn't need an educational surrogate parent any more, how do I get reassigned to another student?

A. Write to or call the person in charge of educational surrogate parent appointments with your school district or special education cooperative to say that you would like to be assigned to another student.

15. Q. What if I don't want to be an educational surrogate parent any more?

A. You should contact verbally and in writing the person in charge of educational surrogate parent appointments within your school district or special education cooperative and let him/her know your feelings. You will be asked to return all copies of records that you have obtained. Also, let them know if you might be interested in serving as an educational surrogate parent again at a later time.

16. Q. What is the appropriate length of time to serve as an educational surrogate parent?

A. The time varies from situation to situation. Educational surrogate parents are encouraged to continue as long as they are able and willing.

17. Q. What happens if the student moves to another geographic location?

A. If the distance is unreasonable, another educational surrogate parent would be appointed.

18. Q. What is extended school year?

A. The purpose of extended school year services is not to learn or to enhance new skills, but to prevent serious regression of previously learned skills. In addition, the purpose is to provide only special education and related services. Extended school year services are not intended to replace or be synonymous with those services typically referred to as summer school. The IEP is the guiding document for extended school year services and should be considered at initial, annual, and triennial reviews.

19. Q. If I request a due process hearing, what happens to the student in the meantime?

A. During this process, the student will remain in the educational program in which he/ she was placed at the time of your request for the due process hearing. Should you and the school district agree, the student may be placed in a different program pending the decision of the hearing officer. If the student is not

yet in an educational program, he/she may be placed temporarily in a public school program until the proceedings have been completed.

20. Q. What if the school simply won't listen to what I have carefully determined to be the student's needs in the school program?

A. The first step is always reasonable discussion with school personnel, beginning with the classroom teacher and if necessary, going as far as your Director of Special Education or School Superintendent. Should these discussions fail, you may want to contact a parent or advocacy group for advice in deciding if it would be advisable, and in the student's best interests, to exercise your options of mediation, complaint procedures, or requesting a due process hearing.

21. Q. Is it permissible for me to tape record the school meeting?

A. Nothing in the regulations says you can or cannot record the meeting. Should you wish to tape record the meeting, it is advisable to mention before the meeting that you plan to do so in order to have a record of the discussions and to avoid taking copious notes. Some individuals find it helpful to "listen" to the meeting after the fact in order to review segments of what was said.

Summary

- As an educational surrogate parent, you have the same rights as a parent has in the special education process, and you should work with professionals involved as partners in a joint endeavor.
- Good communication at and between school meetings requires confidence, good listening skills, mutual respect, and involvement.
- In order for effective communication to be facilitated at school meetings, adequate preparation is necessary.
- When attending school meetings, it is important to share information that you have learned about the student through visiting the school and reviewing the educational records.
- Your participation as a team member is enhanced by maintaining a positive manner and avoiding aggressive and nonassertive behaviors.
- Questions can be used effectively as a tool for meaningful participation at school meetings.
- Prior to meetings, it is wise to write a list of questions and concerns that need to be addressed.
- Reviewing the IEP is helpful in increasing your confidence as an equal participant in the process.
- It is important to set up a mechanism for ongoing communication between you and the school.
- Review the student's IEP from time to time to be certain that his/her progress reflects established goals.
- If you and the school are not in agreement on an issue pertaining to the student's educational program, it is best to attempt to resolve your differences informally through discussions and meetings with school personnel.

- If the differences cannot be resolved through informal means, you may resort to one of the more formal methods which, in Wyoming, are: Mediation, Complaint Procedures, and the Due Process Hearing.
- It is advisable to meet other parents and educational surrogate parents who can be tremendous resources.
- Communicate with the student regarding his/her educational program; this input is most critical.
- As you begin your new role as an educational surrogate parent, it is important to keep in mind that you have a right to be involved in every step of the special education process for the student. This involvement requires a commitment to gain knowledge about the student and to establish yourself as an equal team member when important decisions are made.

Section 5

GLOSSARY OF TERMS AND ABBREVIATIONS

Special Education Terms

Special Education Abbreviations

Definition and Acronym Section



Abbreviations

FAPE — Free Appropriate Public Education

FEOG — Full Education Opportunity Goal

FERPA — Family Educational Rights and Privacy Act

IDEA — Individuals with Disabilities Education Act

IEP — Individualized Education Program

LEA — Local Education Agency

LRE — Least Restrictive Environment

OSEP — Office of Special Education Programs (U.S. Department of Education)

P.L. — Public Law

SDE — State Department of Education

SEA — State Education Agency (State Department of Education)

SPED — Special Education

WDE — Wyoming Department of Education

W.S. — Wyoming Statute (State Law)

WY R & R — Wyoming Rules & Regulations for Children with Disabilities

Definitions and Acronyms

Adapted Physical Education (APE) — A component of the educational curriculum in which physical, recreational, and other therapists work with children who exhibit delays in motor development and perceptual motor skills. It is a related service some children might need in addition to or in place of physical education.

Adequate Yearly Progress — The degree of progress for children in academic areas established by the State Education Agency.

Advocate — An individual who represents or speaks on behalf of another person's interests (as in a parent with his/her child).

American Sign Language (ASL) — A method of communicating by using hand signs. Each sign represents either one word or a concept that is typically expressed with several spoken words. For words that do not have a sign, finger spelling is used.

American Speech-Language-Hearing Association (ASHA) — The national professional association for speech and language therapists and audiologists.

Americans with Disabilities Act (ADA) — A law that took effect in 1992 that defines "disability" and prohibits discrimination by employers, by any facility open to the general public, and by State and local public agencies that provide such services as transportation (Public Law 101-336).

Annual Performance Report — The report that is submitted by each State to the U.S. Department of Education that provides data and information on compliance and results of special education for children with disabilities.

Aphasia — A communication disorder characterized by difficulty with producing language and/or with understanding language.

Assessment — The gathering of information by qualified personnel on a child's development and on the needs and priorities of the family. This information about the child and family is used in planning the Individual Family Service Plan (IFSP).

Assistive Technology Device (AT) — Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities. Public schools are required to consider the assistive technology needs of students with disabilities.

Attention Deficit Disorder (ADD) — A neurobiological disorder. Typically, children with ADD have developmentally inappropriate behavior, including poor attention skills and

impulsivity. These characteristics arise in early childhood, typically before age seven, are chronic, and last at least six months. Children with ADD may also experience difficulty in the areas of social skills and self-esteem.

Attention Deficit Hyperactivity Disorder (ADHD) — A neurobiological disorder typically children with ADHD have developmentally inappropriate behavior, including poor attention skills, impulsivity, and hyperactivity. These characteristics arise early in childhood, typically before age seven, are chronic, and last at least six months. Children with ADHD may also experience difficulty in the areas of social skills and self-esteem.

Autism (AU) — A developmental disability significantly affecting verbal and non-verbal communication and social interaction.

Autism and Pervasive Developmental Disorder — Developmental disabilities that share many of the same characteristics. Usually evident at age three, autism and PDD are neurological disorders that affect a child's ability to communicate, understand language, play, and relate to others.

Behavioral Assessment (BA) — Gathering (through direct observation and by parent report) and analyzing information about a child's behavior. The information may be used to plan ways to help the child change unwanted behaviors. Observations include when a behavior occurs as well as the frequency and duration of the behavior.

Behavior Disorders (BD) — A term used by some States for children who exhibit difficulties with social interactions and inappropriate behavior that interferes with learning.

Behavior Intervention Plan (BIP) — A plan that is put in place to teach a child proper behavior and social skills. It should be positive in nature, not punitive.

Bureau of Indian Education (BIE) — The government agency that oversees the education affairs of Native Americans. The BIE operates schools in 22 States.

Cerebral Palsy (CP) — A disorder of movement and posture control resulting from non-progressive damage to the brain during fetal life, the newborn period, or early childhood. Both genetic and acquired factors may be involved. It may be caused by a lack of normal fetal brain development or by injury to the brain. The extent and location of the brain damage determine the type of cerebral palsy and the associated symptoms.

Certified Occupational Therapist Assistant (COTA) — An individual who has received special training and instruction in the area of occupational therapy.

Child Find (CF) — A required federal program that requires States to actively locate children, birth to age 21, with developmental disabilities or who are at risk for

developmental disabilities. It particularly focuses on children not enrolled in school programs.

Children and Adults with Attention-Deficit/Hyperactivity Disorder (CHADD) — A national organization that provides information, training and support for individuals interested and/or impacted by ADD/ADHD.

Cognitive Delay (CD) — A disability where a child's intellectual and adaptive behavior is below average and impacts the child's education.

Continuous Improvement and Focused Monitoring Process (CIFMP) — The monitoring process used by the U.S. Department of Education to check compliance and results of special education in States.

Council on Exceptional Children (CEC) — The largest international professional organization dedicated to improving educational outcomes for individuals with exceptionalities, students with disabilities, and/or the gifted.

Comprehensive Educational Evaluation — The tests and observations done by the school staff to find out if the child has a disability and requires special education and related services. The school's multi-disciplinary team is required to do this evaluation and hold a meeting with the parent to discuss the results. A parent may choose to share any evaluation and assessment information done by the child and family agency or by other qualified persons.

Comprehensive System of Personnel Development (CSPD) — A State or school plan to train and provide technical assistance for school staff and parents.

Deaf-Blindness (DB) — Concomitant hearing and visual impairments that cause severe communication, developmental, and educational needs.

Department of Health (DOH) — The government agency whose mission is to promote health and sound health policy, prevent disease and disability, improve health services systems, and ensure that essential public health functions and safety net services are available.

Developmental Disability (DD) — Any physical or mental condition that begins before the age of 18 years, causes the child to acquire skills at a slower rate than his/her peers, is expected to continue indefinitely, and impairs the child's ability to function in society.

Disability — A substantially limiting physical or mental impairment that affects basic life activities such as hearing, seeing, speaking, walking, caring for oneself, learning, or working.

Due Process — A process for resolving a dispute between the family and the child and family service agency related to the delivery of early intervention services. In special education, due process refers to a process for resolving a dispute between the family and the public school related to the identification, evaluation, or placement of a child with disabilities.

Due Process Hearing — A legal proceeding, similar to a court proceeding, where a hearing officer is presented evidence by disagreeing parties. A verbatim record is taken of the proceedings, and a hearing officer writes a decision that may be appealed to the State education agency, and if desired, to a civil court.

Due Process Hearing Officer — The trained and neutral individual who conducts the due process hearing.

Dyslexia — A learning disability in which the child has difficulty with reading due to difficulty distinguishing written symbols. For example, transposing letters and words such as reading “top” as “pot.”

Dyspraxia — Difficulty with planning and performing coordinated movements although there is no apparent damage to muscles.

Early Intervention (EI) — Specialized services provided to infants and toddlers ages birth to three who are at risk for or are showing signs of developmental delay.

Educational Assistant (EA) — A person who provides assistance to students under the supervision of the teacher.

Emotional Disturbance (ED) — A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects educational performance.

- a. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- b. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- c. Inappropriate types of behavior or feelings under normal circumstances;
- d. A tendency to develop general pervasive mood of unhappiness or depression;
- e. A tendency to develop physical symptoms or fears associated with personal or school problems.

Extended School Year (ESY) — The delivery of special education and related services during the summer vacation or other extended periods when school is not in session. The purpose for ESY is to prevent a child with a disability from losing previously learned skills. The IEP team must consider the need for Extended School Year at each meeting

and must describe those services specifically with goals and objectives. Not all special education students require an extended school year. Extended school year services must be individually crafted.

Family Infant Toddler Program (FIT) — A program that provides early intervention services to help families who have concerns about the development of their young child (birth to three).

Family Educational Rights and Privacy Act (FERPA) — A federal law that protects the privacy and transfer of student education records.

Free Appropriate Public Education (FAPE) — An individualized educational program that is designed to meet the child's unique needs and from which the child receives educational benefit.

Functional Behaviors — Behaviors (basic skills, such as meal-time skills) the child has mastered, or needs to master, in order to get along as independently as possible in society.

Functional Behavior Assessment (FBA) — A process that examines why a child behaves the way he or she does given the nature of the child and what is happening in the environment. It is a process for collecting data to determine the possible causes of problem behaviors and to identify strategies to address the behaviors.

Gifted & Talented (GT) — Those students with above average intellectual abilities.

Head Start — A federal program started in 1965 aimed at providing a comprehensive preschool program for children ages three to five from low-income families. Planned activities are designed to address individual needs and to help children attain their potential in growth and mental and physical development before starting school. Ten percent of enrollment is required to be for children with disabilities.

Health Insurance Portability Accountability Act (HIPAA) — Federal regulation that outlines the confidentiality and protection of medical records.

Independent Educational Evaluation (IEE) — An evaluation conducted by a qualified examiner who is not employed by the school district responsible for the education of the child.

Individuals with Disabilities Education Act (IDEA) — The federal law that provides the legal authority for early intervention and special educational services for children birth to age 21. Part B outlines services for children ages three to 21. Part C outlines services for children birth to age three.

Individualized Education Program (IEP) — A written statement of a child's current level of educational performance and an individualized plan of instruction, including the goals, specific services to be received, the staff who will carry out the services, the standards and timelines for evaluating progress, and the amount and degree to which the child will participate with typically developing peers (Inclusion/Least Restrictive Environment). The IEP is developed by the child's parents and the professionals who evaluated the child and/or are providing the services. It is required by the Individuals with Disabilities Education Act (IDEA) for all children eligible for special education.

Individual Family Service Plan (IFSP) — The written document that defines the early intervention services provided to the child and family. The program is designed to meet the needs of the child and the family, and is based on family-identified priorities.

Interagency Agreement — A document signed by authorized representatives of at least two agencies outlining mutually agreed upon responsibilities to perform certain duties under specified conditions.

Interagency Coordinating Council — A council established for the purpose of advising and assisting in the development and implementation of quality services for infants and toddlers with disabilities. State councils are required by IDEA.

Individualized Health Care Plan (IHCP) — A plan developed by the school nurse in collaboration with parents and teachers that outlines specific health care procedures to be provided to a student.

Intelligence Quotient (IQ) — The score of an intelligence test that is a form of psychological testing of an individual's capacity to learn and deal effectively with his/her environment.

Learning Disability (LD) — A disorder in one or more of the basic psychological processes involved in understanding or using spoken or written language, which may manifest itself in an imperfect ability to listen, think, speak, read, write, or spell or to do mathematical calculations.

Least Restrictive Environment (LRE) — The placement that is as close as possible to the general education environment. This is the educational setting that permits a child to receive the most educational benefit while participating in a regular educational environment to the maximum extent appropriate. LRE is a requirement under the IDEA.

Limited English Proficiency (LEP) — Children whose primary language is one other than English.

Local Education Agency (LEA) — The public schools operating in accordance with statutes, regulations, and policies of the State Department of Education.

Mountain Plains Regional Resource Center (MPRRC) — One of six Regional Resource Centers funded through the Office of Special Education Programs that provides technical assistance services to 10 States in the mountain plains area, as well as the Bureau of Indian Education. www.rfcnetwork.org/mprrc

Music Therapy — A therapeutic service to meet recreational or educational goals. Music therapy includes playing instruments, moving to music, singing, and listening to music. It is used in a variety of applications in schools, hospitals, and private settings through both individual and group approaches, often in conjunction with other types of therapy. Both music education and music therapy contribute to special education by promoting learning and self-growth through enjoyable activities.

Natural Environment — The natural or everyday settings for your child. These are places where the child would be if they didn't have a special developmental concern. It is where all children would be (for example, home, childcare, parks, etc.).

No Child Left Behind (NCLB) — Reauthorized in 2001, the Elementary and Secondary Education Act (ESEA) is the principal federal law affecting education from kindergarten through high school for children "at risk." The NCLB provides opportunities for children to learn and progress.

Occupational Therapist (OT) — A professional who provides therapy services based on engagement in meaningful activities of daily life such as self-care skills, education, recreation, work, or social interaction.

Office for Civil Rights (OCR) — The Office for Civil Rights enforces several federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the Department of Education.

Office of Special Education Programs (OSEP) — Dedicated to improving results for infants, toddlers, children, and youth with disabilities ages birth through 21 by providing oversight, leadership, and financial support to assist States and local districts. OSEP administers the Individuals with Disabilities Education Act (IDEA).

Oppositional Defiant Disorder (ODD) — Children who exhibit defiant and anti-social behaviors over a long period of time and environment.

Orientation and Mobility (O&M) — Services provided to the blind or visually impaired by qualified personnel to enable a child to safely move in school and other environments.

Orthopedic Impairment (OI) — Any orthopedic impairment that adversely affects a child's educational performance.

Other Health Impaired (OHI) — An educational classification that describes students who have chronic or acute health problems that cause limited strength, vitality, or alertness that adversely affects a child's educational performance.

Pervasive Developmental Disorders (PDD) — Refers to the overall category of Pervasive Developmental Disorders that includes autism, Rett Syndrome, Asperger's syndrome, PDD-NOS, and Childhood Disintegrative Disorder.

Part B — The section of the federal special education regulations that address school-aged children.

Part C — The section of the federal special education regulations that address children birth through two years.

Physical Therapist (PT) — A professional who is devoted to improving a person's physical abilities through activities that strengthen muscular control and motor coordination.

Preschool Special Education — An educational program that is designed to meet the unique developmental needs of an individual child with a disability who is three, four, or five years of age. It is a child-focused educational effort. Sometimes referred to Section 619 of the law.

Present Levels of Academic Achievement and Functional Performance— Statements written in the IEP that accurately describe the student's strengths, weaknesses, and learning styles.

Prior Written Notice (PWN) — Must inform parents of their rights. It is a form that the school must use to tell parents why they're doing what they're doing or why they're not doing what they're not doing—they must tell parents in writing.

Protection and Advocacy (P&A) — The Protection and Advocacy System is a private, nonprofit organization that protects and promotes the rights of people with disabilities.

PTIC — Each State has a Parent Training and Information Center to assist parents of children with disabilities to become more knowledgeable about special education and their child's disability.

Regional Resource Center (RRC) — Funded by the U.S. Department of Education, there are six RRCs that provide technical assistance in special education for State Education Agencies.

Screening — The process of looking at a child's development to find out if there are any areas of concern. It is used to recommend children for more in-depth evaluation.

Section 504 of the Rehabilitation Act — A federal law that protects the civil rights of individuals with disabilities. This law is closely intertwined with IDEA. Children with disabilities who are not eligible for special education may qualify for accommodations under Section 504.

Section 619 — Authorizing section of Part B of IDEA that requires States to provide preschool services to children with disabilities, ages three to five.

Self-Stimulation — Often referred to as stimming, these are abnormal behaviors, such as head banging, watching the fingers wiggle, or rocking side to side, that interfere with the child's ability to "sit still" and pay attention or to participate in meaningful activity.

Sensory Integration Disorder (SID or SI) — Also known as Sensory Integration Dysfunction—the inability to process information received through the senses, causing problems with learning, development, and behavior.

Sensory Integration Treatment (SI) — A technique of occupational therapy that provides playful, meaningful activities that enhance an individual's sensory intake and lead to more adaptive functioning in daily life.

Special Education — Specialized instruction tailor-made to fit the unique learning strengths and needs of students with disabilities. A major goal of special education is to teach the skills and knowledge the child needs to be as independent as possible. Special education programs focus on academics and also include therapy and other related services to help the child overcome difficulties in all areas of development. These services may be provided in a variety of educational settings but are required by IDEA to be delivered in the least restrictive environment.

Specific Learning Disability (SLD) — A disorder that affects the ability to listen, think, speak, read, spell, or do mathematical calculations.

Speech and Language (SL) Disorders — Problems in communication and related areas such as oral motor function. These delays and disorders range from simple sound substitutions to the inability to understand or use language or use the oral-motor mechanism for functional speech and feeding. Some causes of speech and language disorders include hearing loss, neurological disorders, brain injury, mental retardation, drug abuse, physical impairments such as cleft lip or palate, and vocal abuse or misuse. Frequently, however, the cause is unknown.

Speech Language Pathologist (SLP) — A trained therapist who provides treatment to help a person develop or improve articulation, communication skills, and oral-motor skills. Also helps children with speech errors and/or those with difficulties in language patterns.

State Board of Education — Determines public school and vocational education policy and manages and directs all public schools under provisions of applicable laws.

State Department of Education — Oversees all aspects of education in the State.

State Education Agency (SEA) — The State Board of Education or other agency responsible for the State supervision of public elementary and secondary schools.

State Special Education Advisory Panel (SEAP) — An advisory panel required by federal law in each State for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

Telecommunications Device for the Deaf (TDD/TTY) — An assistive technology device attached to a telephone to enable individuals who are deaf to communicate with others.

Therapy — A treatment for certain physical or psychological conditions. The most common forms of therapy provided through early intervention and special education include occupational therapy, physical therapy, and speech/ language therapy.

Transition — The movement from one service, location, or program to another. Young children with disabilities transition at age three from early intervention to preschool special education services or to other community settings and services (early intervention and special education). Adolescents transition from school to adult services.

Transportation — A related service. If it is determined that the child needs this service to benefit from their education, the school district must provide the transportation, contract with another agency, or contract with the parents to bring their child to school. Transportation could mean round trip, home to school and school to home, services.

Traumatic Brain Injury (TBI) — Physical damage to the brain that could result in physical, behavioral, or mental changes depending on which area of the brain is injured. TBI could impact a student's education; special education services might be needed.

United States Department of Education (USDE) — Provides guidance, fiscal support, and technical assistance to the States.

Visual Impairment (VI) — Impairment in vision that, even with correction, adversely affects a child's educational performance.

Vocational Rehabilitation (VR) — A program of rehabilitation through job training focusing on the participant moving toward gainful employment.

Section 6

PEOPLE FIRST LANGUAGE



Respecting Each Person
It's the "Person First," Then the Disability

Say..._____	Instead of..._____
Child with a disability	Disabled or handicapped child
Child receiving special education	Special education student
Person with cerebral palsy	CP or spastic
Person who is deaf or hard of hearing	Deaf and Dumb
Person with mental impairment or cognitive delay	Retarded; retard
Person with epilepsy or person with a seizure disorder	Epileptic
Person who has...	Afflicted by, suffers from, victim of...
Person without speech, is nonverbal	Mute or dumb
Person with developmental delay	Slow or slow learner
Person with emotional disorder or person with mental illness	Crazy, insane, or mentally ill
Person uses a wheelchair	Confined to a wheelchair
Person with Down syndrome	Mongoloid; retard
Person has a learning disability	Is learning disabled
Person who is non-disabled	Normal; healthy
Person has physical disability	Crippled
Person has a congenital disability	Birth defect
Person has a condition	Disease (unless it is a disease)
Person has seizures	Fits or spells
Person has a cleft lip	Hare lip

Person has mobility impairment	Lame
Person with special health care needs	Sickly, medically fragile
Person is paralyzed	Invalid or paralytic
Person has hemiplegia (paralysis on one side of the body)	Hemiplegic
Person has quadriplegia (paralysis on both arms and legs)	Quadriplegic
Person has paraplegia (loss of function in the lower body only)	Paraplegic
Person is short of stature	Dwarf or midget
Accessible Parking	Handicapped parking

Section 7

RESOURCES FOR SURROGATE PARENTS



Resources for Surrogate Parents

Technical Assistance Alliance for Parent Centers at <http://www.taalliance.org>

PACER Center

8161 Normandale Blvd
Minneapolis, MN 55437-1044
952 838-9000
952 838-0190 TTY
952 838-0199 Fax
1-888-248-0822 Toll Free Number Nationwide
Email: alliance@taalliance.org
Website: www.taalliance.org
Paula Goldberg, Executive Director
Sharman Davis Barrett, Project Co-Director
Sue Folger, Project Co-Director
Dao Xiong, Multicultural Advisor
Jesus Villasenor, Multicultural Advisor

Circle of Parents

National Office
200 South Michigan Avenue
17th Floor
Chicago, IL 60604-2404
312-334-6837
312-334-6852 Fax
1-800-CHILDREN

PEAK Parent Center, Inc.

611 North Weber, Suite 200
Colorado Springs, CO 80903
719-531-9400
719-531-9403 TDD
719-531-9452 Fax
1-800-284-0251
Email: info@peakparent.org
Website: www.peakparent.org

Parent Training and Information Center (PTI)

Terri Dawson, Director
Parent Information Center
5 North Lobban
Buffalo, WY 82834

307-684-2277
1-800-660-9742 WY Only
Email: tdawson@wpic.org
Website: www.wpic.org

Parent Education Network

5 North Lobban
Buffalo, WY 82834
307-684-7441
1-877-900-9736
Website: www.wpen.net

Wyoming Guardianship Corporation

Sue Mydland, Executive Director
PO Box 2778
Cheyenne, WY 82003
307-635-8422
307-635-0776 Fax

Parent To Parent

Lynda Baumgardner, Project Director
Wyoming Family Support Network
358 Linda Vista Road
Torrington, WY 82240
307-532-2918
866-231-6586 Espanol
Email: Lynda_baumgardner@hotmail.com
Website: <http://wind.uwyo.edu/wfsn>

Parent Teacher Association (PTA)

Jeanne Scheneman, President
Wyoming Congress of Parents and Teachers
1821 Spruce Drive
Cheyenne, WY 82001
307-630-1007
Email: jmschnmn@aol.com